

**Minutes of the Louisiana Sentencing Commission
Department of Corrections Headquarters, Building 1
504 Mayflower, Baton Rouge, LA 70802
May 15th, 2014
1:00 p.m.**

The meeting was called to order by Honorable Ricky Babin, Chairman, at 1:12 p.m.

Members Present

Honorable Ricky Babin, Chairman
Honorable Charles J. Ballay
Honorable Mike Cazes
Honorable Louis Daniel
Mr. James Dixon
Honorable Ricky Wicker (proxy for Justice Greg Guidry)
Ms. Debbie Hudnall (proxy for Mr. Mark Graffeo)
Mr. Cheney Joseph
Secretary James LeBlanc
Honorable Michael McDonald
Mr. Tyler Downing (proxy for Mr. Robert Mehrtens)
Honorable Laurie White (proxy for Honorable Helena Moreno)
Honorable Laurie White

Committee and Advisory Members

Scott Brandt, ABLU
Steven Farber, OJJ
Robb Farmer, ALBU
William Kline, DOC
Monique Kristopovich, DOC
Linda La La Duscoe, CURE
Sandra Laborie, 5th Circuit Court
Jennifer Watson, LCLE
Angela Whittaker, DOC

Guests

Chelsea Andre
Elizabeth Compa, The promise of Justice Initiative
Marjorie Esmon, ACLU
Keith Finlay, Tulane Econ
Rhonda Nichols, AIM
Jee Park, OPD
Dwight Webster, Justice and Beyond New Orleans
James Windom, CAPARC
Checo Yancy, CAPARC

- I. Welcome and Introductions
Honorable Ricky Babin, Chairman
Honorable Ricky Babin, Chairman, welcomed members.

II. Approval of Minutes

Honorable Ricky Babin, Chairman

Motion by Honorable Mike Cazes. Seconded by Honorable Charles Ballay. No objections

III. Legislative Update

Mr. Carle Jackson, LCLE

Mr. Jackson review the status of bills related to the recommendations of the Commission from the 2014 Term.

IV. Other Legislation affecting the Commission

Honorable Ricky Babin, Chairman

Honorable Ricky Wicker summarized the following bill:

1. HB 743 by Representative Helena Moreno

a. This bill would add three new members to the commission, each appointed by the Governor:

1. The deputy secretary of the Louisiana Department of Corrections, youth services, office of juvenile justice, or his designee. (ex officio; non-voting member)
2. A judge with experience in handling juvenile cases
3. A person with experience and expertise in the juvenile justice system

b. A member of the commission is permitted to appoint one proxy. The proxy appointed by a member must have the same membership qualifications or be a member of the same entity as the appointed member, & an individual shall not serve as proxy for more than one commission member.

c. Legislation may be recommended by the commission only upon approval by two-thirds vote of the commission members present.

Honorable Ricky Wicker told the Commission after the bill was passed from the House and reported favorably by the Senate Committee on Judiciary C, Senator Kostelka became a co-author. The bill was amended on the floor of the Senate to limit the recommendations of the Commission to only those matters pertaining to sentencing and post-conviction relief. The amended bill was concurred in by the House and has been sent to the Governor. The effect of the revisions to the Commission's purpose and scope of recommendations is unknown at this time as one section says post-conviction relief, while another refers to post-conviction options. The latter term is broader and would include things like recidivism reduction, release mechanisms, and re-entry, while the former term is very restrictive, as defined in the Code of Criminal Procedure. Depending on the intent and interpretation of the language, the bill may limit the Sentencing Commission's recommendations to the sentencing process and the procedural matters after direct appeal, although the bill does say "Reports of the commission shall include but not be limited to ... post-conviction options" in paragraph H.

Honorable Charles Ballay motioned to recommend to the Governor that HB 743 be considered for veto.

Seconded by Mr. James Dixon. The motion was approved 8 to 2, with dissenting votes by Ms. Debbie Hudnall, and Honorable Laurie White (as proxy for Helena Moreno)

V. Government efficiency project

Secretary Jimmy LeBlanc, DOC

Secretary James LeBlanc is overseeing a Government efficiency project to save money using these four components. It would save \$2.2. million.

1. Expand DOC Certified Treatment direction to prison system
2. Transition to work program in New Orleans and Jefferson Parish.
3. Re-Entry sentence funding to open additional reentry centers
4. Expanding day reporting centers for probation and parole in Lafayette, Monroe, Covington, Lake Charles, and Alexandria. All should be open by end of 2015. This is money reinvested from the DOC.

VI. HCR 146

Honorable Ricky Wicker and Ms. Angela Whittaker, DOC

Ms. Angela Whittaker reported HCR 146 by Representative Leger requires DOC to conduct a statewide study of state incarceration and recidivism rates. This report is to be completed by December 1st. No research department is available at the DOC, so it must be all voluntary. Rev. Barnwell says Carle Jackson has organized a coalition for the study to be done by professors from LSU, Tulane, Loyola and Southeastern. Honorable Ricky Wicker added the sociology professor from LSU who has previously worked with DOC will also be involved. Angela mentioned the group will have a second meeting to meet with Secretary Leblanc.

VII. Reports of Committees

Honorable Ricky Babin

A. Consideration of Committee Structure: Merger of Release Mechanisms and Reentry

Honorable Ricky Wicker

Release Mechanisms and Re-Entry may merge but a chairperson is needed. Since there is confusion relating to the Commission's authority in these matters, the issue was motioned to be tabled.

Honorable Mike Cazes motioned to table redefining committee; Seconded by Honorable Michael McDonald. No objections

B. Front End Committee (Workgroup I)

Honorable Ricky Wicker

Honorable Ricky Wicker will email Commission members on what items with which Front End members have offered for work during the 2015 Term.

C. Release Mechanisms Committee (Workgroup II)

Honorable Hans Liljeberg – tabled per merger

D. Re-Entry and Evidence Based Corrections

Phyllis Sheridan

1. Education -

- Continuing to train local municipalities in HSET and increase availability in adult education in local jails by training more instructors.

2. Substance Abuse -

- Combining efforts with Louisiana Commission on Addictive Disorders to identify gaps in service opportunities for offenders
- Working with drug courts to do training in assessments using TCU tool

3. Transition work program -

- Working on MOU with the Office Of Motor Vehicles to obtain access to their database which will help us identify arrearages, fines, suspensions prior to their release
- Piloting a program at Angola to assist offenders in obtaining a driver's license prior to release
- Creating communications with DCFS back and forth to address arrearages in child support and to develop payment plans to coincide with other legal obligations

4. Housing

- Training our employees at DCI, Hunt, and LCIW to assist those who need permanent support in their housing needs because of disabilities that require assisted living. Training them to identify those who need to apply and how to apply. DCI, Hunt, and LCIW, will identify one of these offenders and track the progression in this to see how it works.
- Pending approval of the LHC Board, setting aside funds to tenant-based rental assistance to assist those sex offenders who need housing assistance (USORS). Will identify cost saving to refund and track this for a year.

5. Social Supports

- Compiling research on peer support and mentoring programs and will present their findings at the next meeting.

6. Reentry Courts

- Working on Department Regulations and P&P policy and will present at next meeting. They are working on more uniformity among the Reentry courts.

F. JRI

Ms. Angela Whittaker, DOC

JRI is meeting next month. In the meantime the department is applying for another grant to develop risk needs assessments instrument. A drafted letter has been sent to the Chairman to sign in support of this grants. Part of request letter is to automate the case plan.

Honorable Ricky Wicker motioned that the Chairman should sign the letter in favor of the JRI grant.

Seconded by Honorable Laurie White.

VIII. Planning 2015 Term: Issues for consideration

JRI Grant of Risk Needs Assessment for post-sentencing.

Ms. Angela Whittaker, DOC

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Honorable Ricky Wicker motioned that the Chairman should sign the letter in favor of the JRI grant; Seconded by Honorable Laurie White

Honorable Ricky Wicker reminded members the July meeting date will be July 24th. She encouraged members to look for proxies with substantially the same qualifications as themselves, and invite them to come to the meetings of the Commission.

IX. Adjourn Honorable Laurie White motioned to adjourn. Seconded by Honorable Mike Cazes. No objections. The meeting was adjourned at 1:55 p.m.